



Crl.O.P.(MD) No.13698 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2022

CORAM:

THE HONOURABLE **MR.JUSTICE V.SIVAGNANAM**

Crl.O.P.(MD) No.13698 of 2022

Kannan

... Petitioner

Vs.

1. The Inspector of Police
Karaikudi North Police Station
Sivagangai District

2.Ganesan

3.Malarvizhi

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records relating to the impugned FIR in Crime No.
168 of 2022 on the file of the first respondent police and quash the same

For Petitioner	: Mr.T.Veerakumar
For Respondents	: Mr.A.Albert James
No.1	Government Advocate(Crl.Side)
No.2 &3	: Mr.G.Dinesh



Crl.O.P.(MD) No.13698 of 2022

ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.168 of 2022 on the file of the first respondent police

2.The case of the prosecution is that due to some money dispute on 17.06.2022 the petitioner herein said to have trespassed into house of the second respondent and abused him and also gave life threat to the third respondent by demanding money.

3.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second and third respondents and also by their respective counsel. The petitioner and the second and third respondent were also present in person before this Court and they were identified by Mr.N.Muthukrishnan, SSI of Police,



Crl.O.P.(MD) No.13698 of 2022

Karaikudi North Police Station as well as by the learned Counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5.In the instant case, the dispute is regarding money and the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offence under Sections 448,294(b),506(2) of IPC and Section 4 of TNPHW Act and Section 4 of Tamil Nadu Prohibition of charging Exorbitant and Interest Act, 2003.

6.The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Panjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*** reported in ***(2017)9 SCC 641*** were taken into consideration.



Crl.O.P.(MD) No.13698 of 2022

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7.In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in Crime No. 168 of 2022 pending before the first respondent police, even though, the offences involved are not compoundable in nature.

8.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.168 of 2022 on the file of the first respondent police respondent police, is quashed insofar as the petitioner and the terms of joint compromise memo shall form part and parcel of this order.

04.08.2022

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
aav



CrI.O.P.(MD) No.13698 of 2022

To
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1. The Inspector of Police
Karaikudi North Police Station
Sivagangai District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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CrI.O.P.(MD) No.13698 of 2022

V.SIVAGNANAM, J.

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CrI.O.P.(MD) No.13698 of 2022

04.08.2022